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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	V
D'ARCY QUINN,	: :
Plaintiff,	:
- against -	: 07-CV-8783 (LTS) (RLE)
ALTRIA GROUP, INC. (f/k/a PHILIP MORRIS COMPANIES), d/b/a itself, d/b/a ALTRIA CORPORATE SERVICES, INC. (f/k/a PHILIP MORRIS CORPORATE SERVICES, INC.), d/b/a PHILIP MORRIS INTERNATIONAL INC., d/b/a PHILIP MORRIS INTERNATIONAL MANAGEMENT, S.A.; and PHILIP MORRIS INTERNATIONAL INC., d/b/a itself and d/b/aPHILIP MORRIS INTERNATIONAL INC., d/b/a itself and d/b/aPHILIP MORRIS	
Defendants.	: : X

DECLARATION OF PETER PAUL ADRIAANSEN IN SUPPORT OF DEFENDANT PHILIP MORRIS INTERNATIONAL INC.'S MOTION TO DISMISS

Peter Paul Adriaansen, pursuant to 28 U.S.C. § 1746, hereby declares:

- I make this Declaration in support of Philip Morris International Inc.'s ("PMI Inc.") motion to dismiss the complaint in this lawsuit. I am providing this Declaration at the request of PMI Inc. I have personal knowledge of the facts set forth in this Declaration.
- 2. Between September 2005 and December 2006, I served as Director of Human Resources for Philip Morris International Management S.A. ("PMI Management S.A."). During that time I was responsible for, among other things, providing human resources support to PMI Management S.A.'s Trade Practices group. During the period in which I provided human resources support to PMI Management S.A.'s Trade Practices group, Andre Reiman served as Senior Vice President, Trade Practices for PMI Management S.A.

- 3. Between February 2002 and October 31, 2007, Plaintiff D'Arcy Quinn ("Plaintiff") was employed by PMI Management S.A. During his tenure he was based in Lausanne, Switzerland. Because Plaintiff worked in PMI Management S.A.'s Brand Integrity unit, which was part of the Trade Practices group, I have personal knowledge regarding the conditions and circumstances of his employment with PMI Management S.A.
- 4. During this time, Plaintiff received an annual Swiss Certificat de Salaire pour la Declaration d'Impôt (the Swiss equivalent of a W-2 earnings form) from PMI Management S.A. that conspicuously identified PMI Management S.A. as his employer. (See forms annexed hereto as Exhibit A to this Declaration).
- 5. Throughout his employment by PMI Management S.A., Plaintiff was paid by PMI Management S.A., and received benefits from PMI Management S.A. under Swiss law, contributed to a Swiss pension and Swiss Social Security, and paid Swiss income taxes. PMI Management S.A. did not contribute to U.S. Social Security on his behalf. Because he was a PMI Management S.A. employee, PMI Management S.A. also managed all human resources related employee communications, tax withholdings, incentive compensation and all other local benefits and personnel administration with respect to Plaintiff.

Executed on January 13, 2008, at Evian - France.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

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